



**IT IS ORDERED as set forth below:**

**Date: July 12, 2010**

A handwritten signature in black ink, reading "Paul W. Bonapfel", is written over a horizontal line.

**Paul W. Bonapfel  
U.S. Bankruptcy Court Judge**

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

IN THE MATTER OF:	:	CASE NUMBER: 04-92850-PWB
	:	
JEANETTE McCARTER,	:	CHAPTER 11
	:	
	:	JUDGE BONAPFEL
Debtor.	:	
	:	
JEANETTE McCARTER,	:	
	:	
Debtor,	:	CONTESTED MATTER
	:	
vs.	:	
	:	
PATRIA PARTNERS, LLC,	:	
	:	
Creditor.	:	

**ORDER WITH REGARD TO REGISTRY FUNDS**

Pursuant to an order entered on October 7, 2005 [120], David L. Miller, former counsel for the Debtor paid \$22,145.47 from his escrow account into the registry of the Court to be held pending further order of the Court. After disbursements pursuant to previous orders of the Court entered on March 6, 2006 [164] and January 9, 2008 [179], the balance of the registry funds is \$9,975.98, plus accrued interest.

The funds are being held in the registry of this Court subject to the claims of the Debtor and Patria Partners, LLC, which claims that they are proceeds from the sale of its collateral and that, as such, it has a lien that attached thereto.

The clerk of the Court is required to transfer registry funds to the United States Treasury as unclaimed funds after the funds have been held for 5 years, unless an order is entered directing payment to a party. In such event, the unclaimed funds remain available for disbursement to “the claimant entitled to any such money ... on petition to the Court and upon notice to the United States Attorney and upon full proof of the right thereto.” 28 U.S.C. § 2042.

This bankruptcy case has been closed for over 4 years. The Court understood that the Debtor and Patria Partners, LLC, were or would be engaged in litigation elsewhere to resolve their disputes.

In view of the impending transfer of funds, the Court will schedule a hearing to consider the views of the Debtor and Patria Partners, LLC, with regard to further action with regard to the registry funds. The Court will, of course, direct disbursement of the funds in accordance with an agreement between the Debtor and Patria Partners, LLC. If the parties are engaged in litigation in another court, the Court will authorize disbursement of the funds into the registry of that court.

It is, therefore, hereby ORDERED, and NOTICE IS HEREBY GIVEN, that a hearing with regard to the status of registry funds will be held at 10:00 o’clock a.m. on the 24<sup>th</sup> day of August, 2010, in Courtroom 1401, U.S. Courthouse, 75 Spring Street, S.W., Atlanta, Georgia.

END OF DOCUMENT

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